

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF:

January 4, 2001

Regulatory Branch

SUBJECT: Withdrawal of Department of the Army Application No.
1999-01785(0)

Mr. Dennis Boyle
Boyle Properties, LTD
3576 California Road
Suite 101
Orchard Park, New York 14127

Dear Mr. Boyle:

I am writing in reference to your application for a Department of the Army permit for your Queens Grant Subdivision. The project is located in West Seneca, New York.

I have been working with your consultant, Mr. Donald Wilson of Wilson Environmental Technologies to get the information I need to complete my review of your proposal. Initially, I had prepared to consider your project under the provisions of NWP 26, however, NWP 26 expired prior to when I received all of the information I needed to commence my review. Consequently, an individual permit (IP) is the only form of authorization currently available for this project. Don and I have spoken on several occasions about your project and the need for additional information but at this time the application is still incomplete.

As a result, I am withdrawing your application until you are ready to furnish all information needed conduct my review.

To start the IP process, I need:

- 1) a complete set of reduced scale diagrams of the project (8.5" x 11");
- 2) a complete list of adjoining property owners;
- 3) any updates or changes to the project not reflected in the current application.

Should you wish to resubmit your application at a future time please reference Processing No. 1999-01785(0).

Lastly, I would like to point out that the Federal wetland boundary located on your property, as shown on the attached drawings, was confirmed on May 10, 1999 and will remain valid for a period of five (5) years from the date of this correspondence.

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At the end of this period, a new wetland delineation will be required if the above described work is not completed.

A copy of this letter has been forwarded to: Mr. Donald G. Wilson.

Questions pertaining to this matter should be directed to me at (716) 879-4317, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, or by e-mail at: fred.w.dieffenbach@usace.army.mil

Sincerely,

Fred W. Dieffenbach
Biologist

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CF:

Mr. Donald G. Wilson

Wilson Environmental Technologies, Inc.

Suite 250

1331 N. Forest Road

Williamsville, New York 14221